



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUN 21 2013

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Terry Laird
NLMK Indiana
6500 South Boundary Road
Portage, Indiana 46368

Re: NLMK Indiana
Portage, Illinois
Administrative Consent Order EPA-5-13-113(a)-IN-4

Dear Mr. Laird:

I have enclosed an Administrative Consent Order relating to NLMK Indiana's compliance with the Clean Air Act, 42 U.S.C. § 7412.

Please direct any questions regarding this case to Eleanor Kane of my staff at (312) 353-4840. Any legal questions should be directed to Susan Tennenbaum, Associate Regional Counsel, at (312) 886-0273.

Sincerely,

A handwritten signature in black ink, which appears to read "Sarah Marshall", is written over a horizontal line.

Sarah Marshall
Chief
Air Enforcement and Compliance Assurance (MI/WI)

Enclosure

cc: Ray Pilapil, Manager
Bureau of Air, Compliance and Enforcement Section
Illinois Environmental Protection Agency
P.O. Box 19506
Springfield, Illinois 62794

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

In the Matter of:)	EPA-5-13-113(a)-IN-4
)	
NLMK Indiana)	Proceeding Under Section 113(a)(3)
Portage, Indiana)	of the Clean Air Act, 42 U.S.C.
)	§ 113(a)(3)
_____)	

Administrative Consent Order

1. The Director of the Air and Radiation Division, U.S. Environmental Protection Agency (EPA), Region 5, is issuing this Order to NLMK Indiana (NLMK) under Section 113(a)(3) of the Clean Air Act (CAA), 42 U.S.C. § 7413(a)(3).

Statutory and Regulatory Background

2. Section 502(d)(1) of the CAA, 42 U.S.C. § 7661a(d)(1), requires each state to develop and submit to EPA an operating permit program which meets the requirements of Title V. On December 4, 2001, EPA granted Indiana final approval of its Title V Clean Air Act Permit Program, effective November 30, 2001.

3. Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), and 40 C.F.R. § 70.7(b) provide that, after the effective date of any permit program approved or promulgated under Title V of the CAA, no source subject to Title V may operate except in compliance with a Title V permit.

4. The Indiana Department of Environmental Management (IDEM), delegated authority by EPA, issued to NLMK on October 9, 2009 a Part 70 Operating Permit Renewal (Title V Permit) No. T 127-27948 for its Portage, Indiana facility. IDEM approved an administrative amendment to the Title V Permit on September 21, 2011.

5. Part D.1.8(a) of the Title V Permit limits throughput at the Melt Shop to 151 tons per hour, over a period of 24 operating hours rolling average, with compliance demonstrated at

the end of each hour. Part D.1.16 of the Title V Permit requires that NLMK record and maintain records of the Melt Shop throughput for a period of five years.

6. Parts D.1.9 and D.2.5 of the Title V Permit require Preventive Maintenance Plans for, among other things, the Melt Shop baghouse, the Hot Strip Mill reheat furnace, and the Selective Catalytic Reduction unit (SCR).

7. Part D.1.14 of the Title V Permit requires that NLMK, among other things, calibrate or replace the instrument used for determining the pressure differential on the Melt Shop baghouse at least once every six months.

8. Part D.2.2(c) of the Title V Permit establishes a limit for the NO_x emissions from the Hot Strip Mill reheat furnace of 18.88 pounds per hour on a three operating hour average basis except during periods of startup and shutdown.

9. Under Section 113(a)(3) of the CAA, 42 U.S.C. § 7413 (a)(1), the Administrator of EPA may issue an order requiring compliance to any person who has violated or is violating Title V of the CAA, including a Title V permit. The Administrator has delegated this authority to the Director of the Air and Radiation Division.

Findings

10. NLMK owns and operates a steel mill located at 6500 South Boundary Road, Portage, Indiana (the Facility).

11. On nine days between August 30, 2010 and March 30, 2012, NLMK did not demonstrate compliance with the short term production limit from the Melt Shop, in violation of Part D.1.8(a) of its Title V permit.

12. At the time of the inspection, NLMK did not produce Preventative Maintenance Plans for the Melt Shop baghouse, for the Hot Strip Mill reheat furnace, or for the SCR, in violation of Parts D.1.9 and D.2.5 of its Title V Permit.

13. NLMK did not calibrate or replace the instrument used for determining pressure differential across the Melt Shop baghouse within the last five years, in violation of Part D.1.14 of the Title V Permit.

14. On five days between April 27, 2012 and May 30, 2012, NLMK exceeded the emissions limits established for NO_x at the Hot Strip Mill reheat furnace during normal operations. The exceedences totaled 15 hours of operating time for the quarter. These exceedences were in violation of Part D.2.2(c) of its Title V Permit.

15. On December 20, 2012, EPA issued to NLMK a Finding of Violation alleging that it violated provisions of its Title V Permit, as outlined in Paragraphs 11 through 14 of this Order.

16. On January 30, 2013, representatives of NLMK and EPA discussed the December 20, 2012 Finding of Violation.

Compliance Program

17. By the effective date of this Order, NLMK must achieve, demonstrate and maintain compliance with its Title V Permit at its Portage, Indiana facility.

18. By the effective date of this Order, NLMK must continue to implement a recent program to collect charge data and calculate throughput at the Melt Shop on an hourly basis to demonstrate compliance with the limit contained in Part D.1.8(a) and Part D.1.16 of its Title V Permit. The demonstration shall be performed as follows:

a. NLMK shall record the liquid tons produced during each heat
and the tap-to-tap minutes for each heat;

b. The liquid tons produced shall be divided by the number of
tap-to-tap minutes, and divided by 60 to determine the Liquid
Tap Tons per Hour; and

c. At the end of each heat, the Liquid Tap Tons per Hour for the
most recent 24 heats shall be averaged to demonstrate
compliance at the end of each heat.

19. Within 15 days after the first calendar quarter that this Order is in effect, NLMK must submit a report to EPA containing all recorded and calculated data per the monitoring program specified in Paragraph 18 for that calendar quarter. NLMK must submit the data in an electronic spreadsheet. For each calendar-quarter period thereafter, NLMK must submit a report with the information specified under this paragraph with 15 days after the calendar quarter, continuing until termination of this Order.

20. By the effective date of this Order, NLMK shall formulate and implement Preventative Maintenance Plans for the Melt Shop baghouse, the Hot Strip Mill reheat furnace and the Selective Catalytic Reduction unit. NLMK shall submit copies of the plans to EPA with 30 days of the effective date of this Order.

21. By the effective date of this Order, NLMK must continue to implement a recent program for the biannual calibration of the instrument used to determine the pressure differential on the Melt Shop baghouse, and shall keep records of each calibration.

22. NLMK must send all reports required by this Order to:

Attention: Compliance Tracker (AE-17J)
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

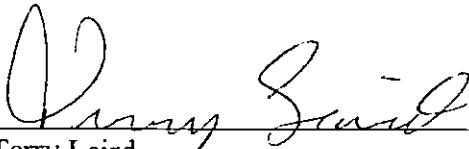
General Provisions

23. This Order does not affect NLMK's responsibility to comply with other federal, state and local laws.
24. This Order does not restrict EPA's authority to enforce Title 5 or any other section of the CAA.
25. Nothing in this Order limits the EPA's authority to seek appropriate relief, including penalties, under Section 113 of the CAA, 42 U.S.C. § 7413, for NLMK's violation of its Title V Permit.
26. Failure to comply with this Order may subject NLMK to penalties of up to \$37,500 per day for each violation under Section 113 of the CAA, 42 U.S.C. § 7413, and 40 C.F.R. Part 19.
27. The terms of this Order are binding on NLMK, its assignees and successors. NLMK must give notice of this Order to any successors in interest prior to transferring ownership and must simultaneously verify to EPA, at the above address, that it has given the notice.
28. EPA may use any information submitted under this Order in an administrative, civil judicial or criminal action.
29. NLMK agrees to the terms of this Order.
30. NLMK waives all remedies, claims for relief and otherwise available rights to judicial or administrative review that it may have with respect to any issue of fact or law set forth

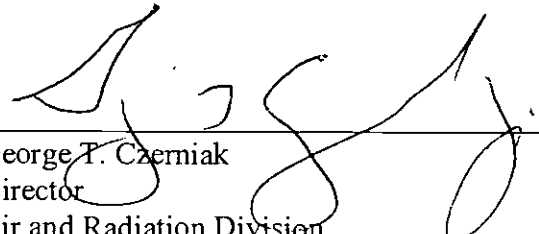
in this Administrative Consent Order, including any right of judicial review under Section 307(b) of the CAA.

31. This Order is effective on the date of signature by the Director of the Air and Radiation Division. This Order will terminate one year from the effective date, provided that NLMK has complied with all terms of the Order throughout its duration.

6-6-13
Date


Terry Laird
Director of Operations
NLMK- Indiana

6/21/13
Date


George T. Czerniak
Director
Air and Radiation Division
U.S. Environmental Protection Agency, Region 5

CERTIFICATE OF MAILING

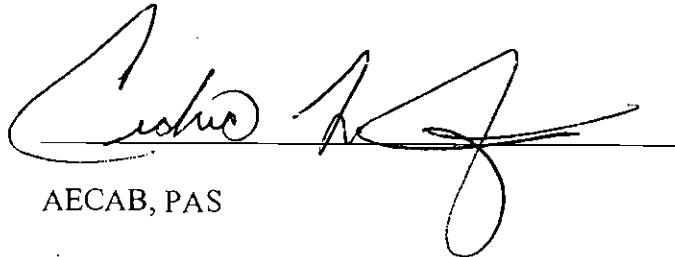
I, EDDIE L. JONES, certify that I sent the Administrative Consent Order, EPA-5-13-113(a)-IN-4, by certified mail, return receipt requested, to:

Terry Laird
NLMK Indiana
6500 South Boundary Road
Portage, Indiana 46368

I also certify that I sent a copy of the Administrative Consent Order, EPA-5-13-113(a)-IN-4, by first-class mail to:

Mr. Phil Perry, Chief
Air Compliance and Enforcement Branch
Indiana Department of Environmental Management
100 N. Senate Ave. (Mail Code 61-53 IGCN 1003)
Indianapolis, IN 46204-2251

On the 24th day of JUNE 2013.


AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7676 0607